

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9792

IN THE MATTER OF:

Served August 2, 2006

FAMILY LOGISTICS, INC., Suspension )  
and Investigation of Revocation of )  
Certificate No. 1090 )

Case No. MP-2006-081

This matter is before the Commission on respondent's response to Order No. 9582, served May 25, 2006.

Under the Compact, a WMATC carrier may not engage in transportation subject to the Compact if the carrier's certificate of authority is not "in force."<sup>1</sup> A certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.<sup>2</sup>

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 1090 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 1090 became invalid on April 27, 2006, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 9582 noted the automatic suspension of Certificate No. 1090 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 1090, and gave respondent thirty days to replace the cancelled endorsement or face revocation of Certificate No. 1090. Respondent submitted a \$1.5 million primary WMATC Insurance Endorsement on July 6, 2006. The effective date of the new endorsement is June 27, 2006. This means that respondent was without insurance coverage for sixty-one days, from April 27, 2006, through June 26, 2006.

Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 1090 as directed by Order No. 9582. We will give respondent thirty days to verify that it ceased operations as of April 27, 2006. Inasmuch as respondent's only tariff is for service rendered to the

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<sup>1</sup> Compact, tit. II, art. XI, § 6(a).

<sup>2</sup> Compact, tit. II, art. XI, § 7(g).

general public, proof that respondent ceased operations shall be corroborated by evidence from respondent's general business records.<sup>3</sup>

THEREFORE, IT IS ORDERED:

1. That within thirty days from the date of this order, respondent shall verify it ceased all operations in the Metropolitan District as of April 27, 2006.

2. That within thirty days from the date of this order, respondent shall produce any and all books, papers, correspondence, memoranda, contracts, agreements, and other records and documents, including any and all stored electronically, that are within respondent's possession, custody or control and which relate to the transportation of passengers for hire between points in the Metropolitan District during the period beginning January 1, 2006, and ending on the date of this order, including, but not limited to any and all:

- a. customer contracts and invoices;
- b. invoices from other carriers;
- c. calendars and itineraries;
- d. bank and payroll records;
- e. insurance documents;
- f. advertising materials;
- g. income tax and personal property returns.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.  
Executive Director

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<sup>3</sup> See Compact, tit. II, art. XII, § 1(b) (mandating Commission access to carrier records).